

# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

## The Future of Clean Water in Kentucky



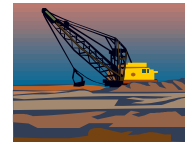
Thirty years ago Kentucky's waters were in crisis. Some 72 percent of the state's monitored waterways were impaired by pollution. In 1972, the U.S. Congress passed the Clean Water Act with the goal of making all waterways safe for swimming and fishing. The act resulted in dramatic improvements in the water quality of our streams, rivers and lakes.

Despite some important success, there is still a long way to go to achieve the act's goal of eliminating the discharge of pollutants into the nation's waterways. For example, after many years of improving trends, progress has stalled when it comes to restoring water quality of our streams and rivers. Since 1995, about one-third of Kentucky's monitored waterways were impacted by pollution. As we learn more about the environment we are also discovering new threats. For example, Kentucky now has 8 fish consumption advisories in effect due to water pollution. The most recent advisory was issued in 2000 for all waterways and lakes after mercury was detected in fish tissue.

Protecting our rivers and the quality of our drinking water is the number one environmental concern of 98 percent of Americans, according to a recent poll conducted by Penn, Schoen & Berland Associates on behalf of National Geographic. "The 30<sup>th</sup> anniversary of the Clean Water Act is an opportunity to reflect on how far we have come to restoring water quality and to also recommit to the goal of providing safe and clean water for everyone," said Aloma Dew, Chair of the Environmental Quality Commission.

On Aug 22, EQC will hold a meeting on the Clean Water Act and its impact in Kentucky. The public is invited to come hear state, environmental and industry leaders discuss the progress achieved under the Clean Water Act and the challenges that remain.

## *In this Issue:*



[EQC Recommendations  
Target Coal Mine  
Mapping, Maxey Flats  
Superfund Site - pg. 2](#)



[Kentucky Hosts EPA  
Regions 3, 4, 6 & 7  
Annual Nonpoint Source  
Conference- pg. 3](#)



[New NOx Reduction Reg's  
- pg.5](#)



[EQC Aug. 22 Meeting -  
Future of Clean Water  
Act in Kentucky- pg. 6](#)

Visit the EQC Web Site at <http://www.kyeqc.net>

[Contact EQC](#)

# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

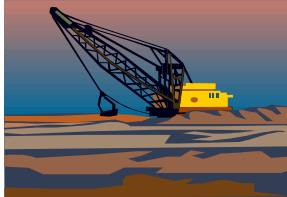
[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

## [EQC Recommendations](#)



**Coal Mine Mapping.** The recent rescue of nine miners trapped in a Pennsylvania coal mine shows what can be accomplished when people work together to get a job done. It also shows the dangers involved with inaccurate coal mine maps. There are more than 160,000 mine maps in Kentucky dating back to 1884, one-third of which are questionable. EQC has requested that Gov. Patton urge

Congress, MSHA, and OSM to move forward with implementing standards for coal mine mapping and support technologies to detect mine voids. EQC also suggested that a blue ribbon task force be convened to further explore mapping needs in Kentucky as well state options to promote alternatives to coal mine waste impoundments. To view this and other EQC recommendations see <http://www.kyeqc.net/forum.html>



**Maxey Flats Superfund Site.** Maxey Flats low-level waste disposal site began operations in 1963 as an economic development project that was supposed to attract the nuclear industry to Kentucky. Approximately 6 million cubic feet of waste is buried at the landfill in Fleming County.

The state closed the 280-acre site in 1977 after studies showed that radioactive water had leaked from closed trenches to other areas of the site. An EQC visit to the site last month resulted in 10 recommendations. In response the state will:

- conduct a seismic study at the site,
- develop a fire protection plan for the site,
- update the site's emergency response plan, and
- monitor the health of the forest ecosystem around the site.

EQC also recommended that the state conduct fish tissue testing of nearby streams and provide better public access to information about the site. To attend a virtual tour of the site and view the recommendations visit <http://www.kyeqc.net/gallery.html>

---

## [In the News](#)



### **Martin County Coal to Pay \$3.25 Million Fine**

The state has levied penalties and damage claims totaling \$3.25 million against the Martin County Coal Corp. as a result of a slurry spill in October 2000. More than 250 million gallons of slurry was released from a company impoundment, through underground mine works before flowing into Coldwater Fork and Wolf Creek, making its way into Tug Fork. As a result of the spill the state ordered the company to close the impoundment. In addition to the monetary terms, the agreed order directs the company to close and reclaim the Big Branch Slurry Impoundment and remediate and restore as necessary the streams damaged by the slurry so they can meet water quality standards.

# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

## [Conference Calendar](#)

### Kentucky Hosts EPA Regions 3, 4, 6 and 7 for Annual Nonpoint Source Conference



*Submitted by Rosetta Fackler*

The Ky. State Nonpoint Source (NPS) Pollution Control Conference will be held at Lake Barkely State Resort Park September 23, 2002. This year's conference will feature both oral and poster presentations by more than forty-seven project cooperators from all across the Commonwealth and a field trip to a 319(h) project site. The projects are funded through Section 319(h) of the Clean Water Act and are awarded on a competitive basis. In addition, an Education, Outreach and Information Workshop will provide assistance to current and potential contractors in developing an appropriate and effective education and outreach program for NPS pollution control.

Beginning Sept. 24<sup>th</sup> through the 25<sup>th</sup>, the U.S. EPA Nonpoint Source Conference will convene at Lake Barkely. The 29 states and tribes of these four regions will offer technical transfer presentations on topics ranging from practical applications and development of knowledge base to do natural channel design, watershed planning and implementation, nutrient management, and the 2002 Farm Bill to the economics of Best Management Practices. The public is invited to attend. For complete details and registration information go to: <http://water.nr.state.ky.us/dow/npsconf.htm>.

## MEETINGS/CONFERENCES

**Sept. 14 - Ky. Conservation Committee Meeting.** Shaker Village, Pleasant Hill. *Contact: Wade Helm, (502) 568-1541.*

**Sept. 20-21 - Ky. Wood Expo.** Laurel County Fairgrounds. *Contact: Ky. Forest Industries Association, (502) 695-3979 or at [bob@kfia.org](mailto:bob@kfia.org)*

**Sept. 23 - 25- Ky. and U.S. EPA Region 3, 4, 5, 6 and 7 Nonpoint Source Conference.** Lake Barkely State Resort Park. *Contact: Rosetta Fackler (502) 564-3410 or at <http://water.nr.state.ky.us/dow/npsconf.htm>*

**Sept. 25 - Ky. Pollution Prevention Center Energy Efficiency Workshop for Federal Facilities.** Sheraton Suites, Lexington. *Contact: Karen Thorne, (502) 852-3129 or at <http://www.kppc.org>*

**Sept. 26 - Kentucky Pollution Prevention Center Energy Efficiency Workshop for Federal Facilities.** University of Louisville - Vogt Engineering Center. *Contact: Karen Thorne, (502) 852-3129 or at <http://www.kppc.org>*

**Sept. 27-29 - Ky. Association for Environmental Education State Conference.** Lake Barkley State Resort Park. *Contact: Nancy Kiernan, (270) 436-2104 or at <http://www.KAEE.org>*

**Sept. 29 - Oct. 2 - Academy of Hazardous Material Managers National Conference.** Galt House, Louisville. *Contact: (785) 864-5823 or toll free (877) 404-5823 or at <http://www.achmm.org>*

**Oct. 9-10 - Governor's Summit on Wildland Fires and Arson, Putting Our Communities at Risk.** Jenny Wiley State Resort Park. *Contact: Fawn Pace 800-866-0555 or at [fawn.pace@mail.state.ky.us](mailto:fawn.pace@mail.state.ky.us)*

**Oct. 25-26 - Annual Old McDonald's Conference on the Environment and Agriculture.** Kentucky State University Farm. *Contact: Aloma Dew, (270) 685-2034 or at [aloma.dew@hotmail.com](mailto:aloma.dew@hotmail.com)*

# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

## PUBLIC NOTICES/HEARINGS - PERMITS

### [Ky. Division of Water - Water Discharge Permits/Public Notices](#)

• **86 KPDES Water Discharge permits.** *Contact: Pam Horne, Division of Water, (502) 564-3410 or see Web site: <http://water.nr.state.ky.us/dow/public.htm>.*

• **Tug Fork River Water Quality Plan** - public comments are being accepted until Aug. 26 for the total maximum daily load (TMDL) plan for the Tug Fork and 63 tributaries. See Web site <http://www.epa.gov/reg3wapd/tmdl/> or *contact: Lenka Berlin (215) 814-5259.*

• **Individual Residences** - Notice of proposed issuance of KPDES General Permit No. KYG400000 for individual residences in Kentucky. *Contact: Sandy Gruzesky or Courtney Seitz, (502) 564-3410.*

• **Storm Water Discharges** - Notice of proposed reissuance of KPDES General Permit No. KYR000000, R100000, R200000, R250000, R310000, R500000 for new and existing discharges of storm water runoff from construction sites, metal industries, wood preserving facilities, coal piles, oil and gas exploration and production operations, landfill and land application areas. *Contact Ronnie Thompson, (502) 564-3410.*

### [Ky. Division of Waste Management - Hazardous Waste Notices](#)

*Contact: Mary Ann Goins, Div. of Waste Management, (502) 564-6716.*

• **Safety-Kleen Systems** - Lexington Service Center, Lexington (Fayette Co.) - Permit Renewal. Public comment ends Sept. 25.

• **Koppers Industries, Guthrie (Todd Co.)** - Post-Closure Renewal Permit. Comment ends Aug. 26.

• **Hallmack Facility, Harrodsburg (Mercer Co.)** - Transfer of RCRA Post-Closure Permit from Yale Security Inc. Public comment ends Sept. 23.

• **Ashland - Viney Branch Facility, Catlettsburg (Boyd Co.)** - Request for variance to follow federal rule. Public comment ends Sept. 25.

• **Advanced Environmental Technology, Greenville (Muhlenberg Co.)** - Intent to deny hazardous waste permit application. Public comment ends Sept. 27.

### [Ky. Division of Waste Management - Solid Waste Notices](#)

*Contact: Anita Young, Div. of Waste Management, (502) 564-6716.*

• **Republic Services of Kentucky, Lexington (Fayette Co.)** - Relocate and construct the permitted airspace for waste disposal in Unit VI to a new location adjacent to the already constructed Unit V - eliminating the need for additional construction of roads, sediment control structures, a leachate tank, and an additional environmental monitoring network (#112-00002).

• **Double Culvert Landfill/City of Georgetown, Georgetown (Scott Co.)** - Extend the expiration date of the Double Culvert Landfill to June 30, 2007 for closure operation only (#105-00006).

• **Daviess County Fiscal Court, Owensboro (Daviess Co.)** - Add 31.58 acres to existing landfill; administrative application is complete and technical review about to begin (#030-00004).

• **Thoroughbred Generating Company, (Muhlenberg Co.)** - Petition requesting the reclassification of a solid waste to a special waste.

• **Waste Services of the Bluegrass Inc., Ashland (Boyd Co.)** - Extend expiration date of permit to June 20, 2007 (#105-00016).

### [Ky. Division of Waste Mgmt. - Underground Storage Tanks](#)

*Contact: Ramendra Dutta, Div. of Waste, (502) 564-3410.*

• **Even Steven Gas & Stuff, Daviess Co.** (0567-030).

• **Pilot Travel 231, Laurel Co.** (6196-063).

• **Terrance Grocery, Grayson Co.** (0936-043).

• **Thornton Oil, Fayette Co.** (6999-034).

*[Continue viewing Public Notices](#)*



# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

## PUBLIC NOTICES/HEARINGS - PERMITS (cont.)

### Ky. Division for Air Quality - Public Notices

Contact: George Day, Div. for Air Quality, (502) 573-3382.

- **Air Quality Permit Notice - Draft Title V Permit to Operate Epperson Waste Disposal - A public hearing is scheduled for Aug. 20, at 6:30 PM, Fiscal Court Room of the Courthouse, Main St., Williamstown (Grant Co.).** Contact: Allan Elliott, (502) 573-3382.
- **Prevention of Significant Deterioration (PSD) Construction/Operating Permit - Thoroughbred Generating (Muhlenberg Co.); Willamette Industries, Hawesville (Hancock Co.).**
- **Revise Prevention of Significant Deterioration (PSD) Permit - Westlake PVC Corp., Calvert City (Marshall Co.).**
- **Title V Operating Permit - Epperson Waste Disposal, Williamstown (Grant Co.).**
- **Significant Revision at a Title V Source - Am. Fuji Seal, Bardstown (Nelson Co.); Westlake PVC Corp., Calvert City (Marshall Co.).**
- **Title V Construction/Operating Permit - Thoroughbred Generating (Muhlenberg Co.); Willamette Industries, Hawesville (Hancock Co.).**
- **Synthetic Minor Construction/Operating Permit at Title V Source/PSD Reg.'s Not Applicable - Am. Fuji Seal, Bardstown (Nelson Co.).**
- **Renew Conditional Major Permit - Alcoa Automotive Castings, Hawesville (Hancock Co.); Sargent & Greenleaf, Nicholasville (Jessamine Co.).**
- **Significant Permit Revision at Conditional Major Source/Title V Reg.'s Not Applicable - US Tobacco, Hopkinsville (Christian Co.).**

## PROPOSED STATE REGULATIONS

• **Water Quality** - A public hearing has been scheduled for Aug. 21, at 1:30 p.m., conference room 2A, Ash Bldg., 14 Reilly Rd., Frankfort, to receive comments on proposed amended KPDES regulations: 401 KAR 5:002, 5:005, 5:057, 5:060, 5:065, 5:070, 5:075. Contact: Ron Price at (502) 564-3410 or see <http://water.nr.state.ky.us/dow/hrgnots.htm>

• **Surface Mining** - A public hearing has been scheduled for Aug. 29 at 10 a.m., Room D-16, Ky. Dept. for Surface Mining, 2 Hudson Hollow, Frankfort. The amended regulations 405 KAR 18:090 and 16:090 establish performance standards for other treatment facilities and provides that other treatment facilities may be used in conjunction with sedimentation ponds. Contact: Jim Villines at (502) 564-6940.

• **Waste Management Voluntary Environmental Remediation Program** - A public hearing has been scheduled for Aug. 28 at 10 a.m., Capital Plaza Tower Auditorium, Frankfort. The new regulation 401 KAR 100:100 will implement provisions of a state law passed to promote the remediation and reuse of brownfields. The draft regulations can be viewed at <http://www.nr.state.ky.us/nrepc/dep/waste/programs/sf/vcpguide.htm> Contact: Brad Stone, (502) 564-6716.

• **Air Quality NOx Regulations** - A public hearing as been scheduled for Aug. 28 at 10 a.m., Div. for Air Quality, 803 Schenkel Lane, Frankfort. Two regulations 401 KAR 51:001 and 51:160 adopt NOx reduction requirements for large utility and industrial boilers. Contact Millie Ellis (502) 573-3382 or see <http://www.kyenvironment.org/nrepc/dep/daq/pubinfo/calendar.html>

# Kentucky's Environment

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



Calendar

Public Notices

Proposed Regulations

News

EQC Activities



## Environmental Quality Commission Public Meeting The Future of Clean Water in Kentucky: State of Our Waters, Current Challenges and Solutions

August 22, 2002

Room 113, Capitol Annex Frankfort (behind the State Capitol)

### Agenda

- |           |   |
|-----------|---|
| 1:00 p.m. | Open Meeting  |
| 1:15 p.m. | <b>The Future of Clean Water In Kentucky</b> <ul style="list-style-type: none"><li>• Jeff Pratt, Director, Ky. Division of Water</li><li>• Hank Graddy, Sierra Club</li><li>• Lloyd Cress, Ky. Chamber of Commerce</li></ul>          |
| 2:15 p.m. | Questions and Public Discussion   |
| 2:30 p.m. | Status Report on Martin Co. Coal Slurry Spill and Restoration Plan  |
| 3:00 p.m. | Other Business - Review of Proposed Regulations: <ul style="list-style-type: none"><li>- Surface Mining Regulations</li><li>- Brownfield Voluntary Program Regulations</li><li>- NOx Regulations</li><li>- KPDES Amendments</li></ul> |
| 4:00 p.m. | Adjourn   |

*The public is encouraged to attend this meeting and ask questions or offer comments. All EQC meetings are free and open to the public. Meeting facilities are accessible to people with disabilities. Auxiliary aids, interpreters and other services will be provided upon request by contacting EQC.*



### Help Save the EQC Newsletter Campaign

We want to thank the 300 people who have signed up for the EQC e-mail version of this newsletter. But we still need to convert 700 more subscribers in order to continue to publish 6 bimonthly editions of the newsletter. Please help save the newsletter and convert to an e-mail subscription. You can convert your subscription on-line by simply logging onto [www.kyeqc.net/registration.html](http://www.kyeqc.net/registration.html)

### Poll Reveals Concern For Environment

A nonscientific on-line EQC public survey found that:

- 76% of respondents are very concerned about the environment.
  - 72% do not think environmental laws are strict enough.
  - 24% of respondents believe water pollution is the most important environmental problem facing the state followed by coal mining.
  - 25% of respondents identified stronger enforcement of environmental laws as the greatest need to improve environmental quality followed by education and stronger state laws.
- To take the survey and view more live results visit <http://www.kyeqc.net/thirty/thirty.htm>

Visit the EQC Web Site at <http://www.kyeqc.net>

# ***Kentucky's Environment***

The E-Newsletter of the Environmental Quality Commission

July/August 2002

Volume 18, Issue 4



[Calendar](#)

[Public Notices](#)

[Proposed Regulations](#)

[News](#)

[EQC Activities](#)

**Join EQC in celebrating 30 years of protecting Kentucky's environment. Visit the commission's [30th anniversary site](#) today!**

## **EQC Commissioners:**

Aloma Dew, Chair, *Owensboro*  
Betsy Rudd Bennett, Vice Chair, *Louisville*  
Robert Riddle, *Midway*  
Serena Williams, *Louisville*  
Gary Revlett, *Shelbyville*  
Jean Dorton, *Paintsville*  
Patty Wallace, *Louisa*

## **EQC Staff:**

Leslie Cole, *Executive Director*  
[leslie.cole@mail.state.ky.us](mailto:leslie.cole@mail.state.ky.us)  
Erik Siegel, *Assistant Director*  
[erik.siegel@mail.state.ky.us](mailto:erik.siegel@mail.state.ky.us)  
Lola Williamson Lyle, *Research Analyst*  
[lola.lyle@mail.state.ky.us](mailto:lola.lyle@mail.state.ky.us)  
Frances Kirchhoff, *Office Manager*  
[frances.kirchhoff@mail.state.ky.us](mailto:frances.kirchhoff@mail.state.ky.us)

***The Environmental Quality Commission is a seven-member citizen board that advises officials on environmental matters, provides a public forum for the discussion of issues and monitors environmental conditions. The Environmental Quality Commission welcomes your input. To receive the free EQC newsletter, call (502)564-2150 ext. 160, e-mail [EQC@mail.state.ky.us](mailto:EQC@mail.state.ky.us), or write to EQC at 14 Reilly Rd., Frankfort, KY 40601. You can also submit your comments at our Web site at [www.kyegc.net](http://www.kyegc.net).***